

# Exhibit 4

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

HEALTHIER CHOICES  
MANAGEMENT CORP.,

Plaintiff,

v.

PHILIP MORRIS USA, INC. and PHILIP  
MORRIS PRODUCTS S.A.,

Defendants.

Case No. 1:20-cv-04816-TCB

**DECLARATION OF CHARLES A. PANNELL, III, IN SUPPORT OF  
DEFENDANTS' MOTION FOR ATTORNEYS' FEES**

I, CHARLES A. PANNELL, III, submit this Declaration pursuant to 28 U.S.C. § 1746. I am more than twenty-one years of age and am competent to present this Declaration, of which I have personal knowledge. I declare as follows:

1. I am a partner in the law firm of AddyHart P.C. ("AddyHart"), and am local counsel for Defendant Philip Morris USA, Inc. ("PMUSA") in the above-captioned case. I am licensed to practice law in the State of Georgia and am a member in good standing of the State Bar of Georgia.

2. I submit this Declaration in support of Defendant PMUSA's motion for attorneys' fees.

3. I have personal knowledge of the facts set forth in this Declaration, and I can testify competently to these facts if called as a witness.

4. AddyHart began representing PMUSA against the infringement claim brought by Plaintiff Healthier Choices Management Corp. (“HCM”) in December of 2020. From that date until present, AddyHart, has invoiced PMUSA through lead counsel and has been paid its attorneys’ fees in this matter. AddyHart’s fees include services for filing PMUSA’s responses to HCM’s infringement complaints.

5. To date, AddyHart has billed and received payments of \$12,852.00 for services that relate to responding to HCM’s infringement complaints. This amount represents time spent by myself and my paralegal on district court litigation tasks performed in response to HCM’s infringement complaints between December, 2020, and November 30, 2021.

I declare, under penalty of perjury and the laws of the United States of America that the foregoing is true and correct.

Executed on December 15, 2021, in Atlanta, Georgia.

/s/Charles A. Pannell, III.  
Charles A. Pannell, III